

DANIEL G. BOGDEN
United States Attorney
LISA C. CARTIER GIROUX
Assistant United States Attorney
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
PHONE: (702) 388-6179
FAX: (702) 388-6418

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALBERT BENJAMIN CHEE,

Defendant.

2:14-cr-0033-KJD-CWH

EMERGENCY MOTION TO STAY
MAGISTRATE JUDGE'S ORDER
DIRECTING THE CLARK COUNTY
DEPARTMENT OF FAMILY SERVICES TO
TURN OVER IDENTIFIED FAMILY
SERVICES FILE AND THE ORDER THAT
THE UNITED STATES PROVIDE DEFENSE
COUNSEL WITH AN UNREDACTED COPY
OF DKT#82-1 (Dkt.#92)

The United States of America, by Daniel G. Bogden, United States Attorney, and Lisa C. Cartier Giroux Assistant United States Attorney, having entered an appearance in the above-captioned case, respectfully requests, pursuant to Federal Rules of Criminal Procedure 1(c) and 59(a), that the Court enter an Order staying the Magistrate Judge's March 24, 2016 order that the Clark County Department of Family Services turn over the entire child protective services file of the minors SB and MB from December 2011 to present, with the exception of DFS 319, a document purportedly included in error, and DFS 0321-0328, the divorce records of the mother of the children. (Dkt.#92, 2 at 9-15). The United States requests a stay of the order so that the United States can file a timely appeal to the District Court.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALBERT BENJAMIN CHEE,

Defendant.

2:14-cr-0033-KJD-CWH

ORDER STAYING MAGISTRATE JUDGE'S
MARCH 24, 2016 ORDER (DKT.#92)

ORDER

The Court being fully advised and at the request of the United States for an Emergency Stay of the Magistrate's March 24, 2016 Order (Doc. #92) that the Clark County Department of Family Services turn over the Family Services file of SB and MB, and that the United States provide defense counsel with an unredacted copy of Dkt.#82-1.

IT IS HEREBY ORDERED that the United States' Motion for an Emergency Stay is GRANTED for the United States to file an appeal of the Order to the District Court.

DATED this 25th day of March, 2016.


UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I, Lisa C. Cartier Giroux, do hereby certify that on December 31, 2015, a copy of the attached EMERGENCY MOTION FOR REVIEW OF MAGISTRATE'S ORDER THAT THE CLARK COUNTY DEPARTMENT OF FAMILY SERVICES TURN OVER THE FAMILY SERVICES FILE OF SB AND MB AND THE ORDER THAT THE GOVERNMENT PROVIDE DEFENSE COUNSEL WITH AN UNREDACTED COPY OF DKT#82-1 (Dkts.#92) was sent by electronic mail to the persons hereinafter named, at place and address stated below, which is the last known address:

Brenda Weksler, AFPD
411 E. Bonneville Avenue, Suite 250
Las Vegas, Nevada 89101
702 388 6577
Counsel for defendant Chee

Dated this 24th day of March, 2016

//s//

Lisa C. Cartier Giroux
Assistant United States Attorney